

#12  
7/22/03

PATENT

Customer No. 22,852

Attorney Docket No. 08702.0086-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Manas Kumar MAJUMDAR et al. ) Group Art Unit: 1646  
)  
Application No.: 10/078,808 ) Examiner: J.L. Andres  
)  
Filed: February 19, 2002 )  
)  
For: CHONDROGENIC POTENTIAL OF )  
HUMAN BONE MARROW-DERIVED )  
CD105<sup>+</sup> CELLS BY BMP )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
JUL - 7 2003  
TECH CENTER 1600/2900

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a Restriction Requirement dated June 4, 2003, the Examiner required restriction under 35 U.S.C. § 121 between Group I (Claims 1, 5, 9-10, 13-20 and 28-31) drawn to compositions of BMPs and cells, and Group II (Claims 2-4, 6-8, 11-12 and 21-27) drawn to methods of treatment using BMP's and cells. Applicants elect to prosecute Group II, Claims 2-4, 6-8, 11-12 and 21-27, drawn to methods of treatment using BMP's and cells.

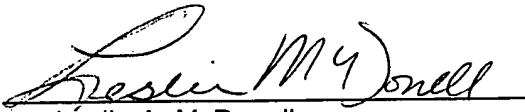
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 3, 2003

By:

  
Leslie A. McDonnell  
Reg. No. 34,872

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com